

**TENTATIVE RULINGS**

**CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR**

**For: 3/17/2008 Monday Dept: 1A**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

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1. **1:00 PM** Case: CF7545 [M] MERCURY INSURANCE v REBIEREGO/STONE  
Type: PI - MV Date Filed: 05/25/07  
Event: TRIAL SETTING

PLNTFF: MERCURY INSURANCE COMPANY ATTY: LEA & NIVINSKUS  
DEFNDT: REBIEREGO, MARK ANTHONY  
Service Date/Type: 03/04/08 SUB 00/00/00  
DEFNDT: STONE, BRADFORD L ATTY: IN PRO PER  
Service Date/Type: 09/20/07 PER Answer Date: 09/27/07

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 6/23/08.

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2. **1:00 PM** Case: CF7766 [M] STATE FARM MUTUAL v GEARHEARD  
Type: PI/PD - MV Date Filed: 10/29/07  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
DATE RESET DUE TO COURT CALENDAR CHANGE

PLNTFF: STATE FARM MUTUAL AUTOMOBILE INSU ATTY: GOLDSMITH & HULL PC  
DEFNDT: GEARHEARD, REGINA  
Service Date/Type: 02/17/08 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 6/23/08.

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3. 1:00 PM Case: CV32547 [S] SOLARI v SOLARI  
Type: DECLARATORY RELIEF Date Filed: 04/05/06  
Event: FURTHER CASE MANAGEMENT CONFERENCE  
STATUS OF SETTLEMENT

PLNTFF: SOLARI, SUSAN E. ATTY: LANE DUNCAN & LAMBERTSON  
DEFNDT: SOLARI, JOHN STEVEN ATTY: KARABINUS, DAVID ESQ  
Service Date/Type: 04/13/06 PRS Answer Date: 05/26/06

Tentative Ruling: It does not appear that the previous settlement is being enforced by either party under CCP 664.6. Wherefore, the case is At-Issue and is set for Trial in Dept. 6 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 4 day jury trial.

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4. 1:00 PM Case: CV33657 [S] REID v ERWIN  
Type: QUIET TITLE Date Filed: 04/19/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: REID, SUSAN ATTY: WEISBERG, MICHAEL ESQ  
DEFNDT: ERWIN, BERNICE ATTY: BECHELLI JR ESQ, F. JOSEPH  
Service Date/Type: 00/00/00 Answer Date: 08/02/07  
DEFNDT: ERWIN, JIMMIE D ATTY: BECHELLI JR ESQ, F. JOSEPH  
Service Date/Type: 07/11/07 PER Answer Date: 08/02/07

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 6/23/08.

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5. 1:00 PM Case: CV34346 [S] CALIFORNIA STATE AUTO v ROBERT MANUFACTURING  
Type: NEGLIGENCE Date Filed: 01/07/08  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
05/19/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CALIFORNIA STATE AUTOMOBILE ATTY: GRUNSKY EBAY FARRAR & HOWELL  
DEF/XC: CASTLE AND COOKE SADDLE CREEK ATTY: JONES & BEARDSLEY PC  
Service Date/Type: 01/11/08 PER Answer Date: 03/05/08  
DF/X-D: ROBERT MANUFACTURING COMPANY  
X-DEFT BITTLE PLUMBING INC

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date. (Plaintiff sub-served the defendant's agent for service without a declaration of due diligence of attempts to personally serve agent.)

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6. **1:30 PM** Case: CV30832 [S] RIBEIRA v REXINGER  
Type: QUIET TITLE Date Filed: 07/30/04  
Event: FURTHER CASE MANAGEMENT CONF RE JUDGMENT

PLF/XD: RIBEIRA, GARY ATTY: FOLEY, KENNETH M ESQ  
Service Date/Type: 00/00/00 Answer Date: 10/29/04  
PLF/XD: RIBEIRA, DEBBIE ATTY: FOLEY, KENNETH M ESQ  
Service Date/Type: 00/00/00 Answer Date: 10/29/04  
DEF/XC: REXINGER, MARSHALL ATTY: BELZER & CARR, LAW OFFICES OF  
Service Date/Type: 08/30/04 NAR Answer Date: 10/05/04  
DEF/XC: REXINGER, ELISE ATTY: BELZER & CARR, LAW OFFICES OF  
Service Date/Type: 08/30/04 NAR Answer Date: 10/05/04

Tentative Ruling: Plaintiff has filed a Notice of Settlement on 12/7/07. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to Cal Rules 3.1385 in Dept. 1A at 1:00 PM on 7/21/08.

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7. **1:30 PM** Case: CV33747 [S] INGHAM v STATE OF CALIFORNIA  
Type: PI/PD MOTOR VEHICLE Date Filed: 05/31/07  
Event: TRIAL SETTING  
DATE RESET DUE TO COURT CALENDAR CHANGE

PLNTFF: INGHAM, RICHARD ATTY: QUINN & KRONLUND LLP  
PLNTFF: INGHAM, SHARON ATTY: QUINN & KRONLUND LLP  
DEFNDT: STATE OF CALIFORNIA ATTY: ATTORNEY GENERAL  
Service Date/Type: 07/10/07 PER Answer Date: 08/09/07  
DEFNDT: CALIFORNIA HIGHWAY PATROL ATTY: ATTORNEY GENERAL  
Service Date/Type: 07/10/07 PER Answer Date: 08/09/07  
DEFNDT: LOPEZ, DAVID J ATTY: ATTORNEY GENERAL  
Service Date/Type: 07/20/07 SMS Answer Date: 09/27/07  
AKA: LOPEZ, DANIEL J.

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 7 day jury trial.

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8. **2:00 PM** Case: CV31658 [S] GUNDY v GUNDY  
Type: PETITION FOR CUSTODY & SUPPORT Date Filed: 05/10/05  
Event: COURT'S MOTION TO DISMISS AS MATTER IS P= 6  
RELATED TO CV33864

Related cases on this calendar: CV33864 ,  
Related cases NOT on this calendar: CV29039 , CV33866 ,  
PETNR: GUNDY, DALE ELMORE ATTY: IN PRO PER  
RESP: GUNDY, DONA L  
Service Date/Type: 05/14/05 PER 00/00/00

Tentative Ruling: There is another action pending between these same parties with orders covering the relief requested in this action. Wherefore this action appears to be duplicative and is therefore dismissed without prejudice.

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9. 2:00 PM Case: CV33864 [S] GUNDY v GUNDY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/03/07  
At-Issue Date: 00/00/00 Trial: 01/24/08 COURT TRIAL - LONG CAUSE  
Event: FURTHER CASE MANAGEMENT CONF-REMAINING P= 6  
ISSUES

Related cases on this calendar: CV31658 ,  
Related cases NOT on this calendar: CV33866 ,  
PETNR: GUNDY, DONA ATTY:  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
MINOR: GUNDY MINORS P.D.: RUSSO, ARLEEN ESQ  
RESP: GUNDY, DALE II ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 07/05/07 PER Answer Date: 07/31/07

Tentative Ruling: Parties to submit written order evidencing stipulated orders made at trial on 1/24/08. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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10. 2:00 PM Case: CV32965 [S] WATKINS v WATKINS  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/05/06  
At-Issue Date: 00/00/00 Trial: 02/13/08 COURT TRIAL - SHORT CAUSE  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: WATKINS, ELEANOR ATTY: VALEN, MARK ESQ  
RESP: WATKINS, BARRY ATTY: IN PRO PER  
Service Date/Type: 09/14/06 PER Answer Date: 10/03/06  
CLAMNT: PRINCETON RETIREMENT GROUP INC.  
CLAMNT: BAY AREA PAINTERS AND TAPERS ANNU

Tentative Ruling: The parties represent all matters are settled with the exception of support and attorneys fees. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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11. 2:00 PM Case: CV33040 [S] LAFAYER v LAFAYER  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/29/06  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: LAFAYER, TOM ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: LAFAYER, ELIZABETH ATTY: AIROLA, STEVEN J ESQ  
Service Date/Type: 12/15/06 PER Answer Date: 01/31/07

Tentative Ruling: The parties indicate an upcoming private settlement conference my resolve the outstanding issues. The parties are commended for their efforts toward settlement. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 5/12/08.

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12. 2:00 PM Case: CV33501 [S] TOWLER v TOWLER  
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 03/02/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: TOWLER, LIN ATTY: TRIFILO, JOHN J. ESQ  
RESP: TOWLER, JEFFREY M. ATTY: STOUT, STEVEN A. ESQ.  
Service Date/Type: 03/12/07 PER Answer Date: 08/02/07

Tentative Ruling: The parties report Respondent is out of the country and returning in April at which time the parties will meet and confer on the issues. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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13. 2:00 PM Case: CV33729 [S] DAVIDSON v DAVIDSON  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/18/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: DAVIDSON, MARIA A ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: DAVIDSON, MICHAEL D ATTY: TRIFILO, JOHN J. ESQ  
Service Date/Type: 06/11/07 SMS Answer Date: 06/28/07  
CLAMNT: CALIFORNIA PUBLIC EMPLOYEES RETIR

Tentative Ruling: The parties report a pending settlement agreement. This matter may be concluded by a Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). If no MSA is executed prior to the next hearing, the parties are ordered to serve and file Final Declaration of Disclosures (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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14. 2:00 PM Case: CV34197 [S] LINNEMAN v LINNEMAN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/05/07  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8

PETNR: LINNEMAN, KIMBERLY ATTY: KRAFT, SANDRA ESQ  
RESP: LINNEMAN, ERIC

Tentative Ruling: There are custody but no support orders. This matter may be concluded by a notarized Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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15. 2:00 PM Case: CV33407 [S] POLAND v POLAND  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/06/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV33766 ,  
PETNR: POLAND, SHON ATTY: IN PRO PER  
RESP: POLAND, JULIE  
Service Date/Type: 05/14/07 PER 00/00/00

Tentative Ruling: This matter may be concluded by a notarized Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). Otherwise, the Default of the respondent has been entered. Petitioner must go to the clerk's filing window to schedule a "Default Prove-Up" hearing. Petitioner must attend that brief hearing and submit the Judgment (FL-180) and Notice of Judgment (FL-190) papers. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 5/12/08.

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16. 2:00 PM Case: CV33722 [S] HICKS v HICKS  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 05/16/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: HICKS, TRACI ATTY: IN PRO PER  
RESP: HICKS, JOHN Z

Tentative Ruling: Service by posting and mail is final 3/15/08. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 5/12/08.

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17. 2:00 PM Case: CV33981 [S] HILDRETH v HILDRETH  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/15/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV33741 ,  
PETNR: HILDRETH, CHARLOTTE E ATTY: IN PRO PER  
RESP: HILDRETH, ANTHONY

Tentative Ruling: The petitioner has not filed a completed (no service date) Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until a proper Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

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18. **3:00 PM** Case: CV34267 [S] FAIRCHILD v ACEVEDO  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 12/05/07  
Event: SETTLEMENT CONFERENCE-FAMILY LAW

PETNR: FAIRCHILD, CHRISTINA                   ATTY: IN PRO PER  
MINOR: ACEVEDO MINOR                         P.D.: RUSSO, ARLEEN      ESQ  
RESP: ACEVEDO, DAVID                         ATTY: IN PRO PER  
Service Date/Type: 12/11/07 PER Answer Date: 12/20/07

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear.